

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Cebolla

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Estate of Julian Serrano, deceased	CHCB-005-0002	c/o Flavio Gurule, personal rep. 53 Bouquet Lane Santa Fe, NM 87506
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These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 3 of the Rio Chama Stream System,

and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 3 of the Rio Chama Stream System.

DATED: January 10, 2005

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion to Join Additional Parties Defendant were mailed to following persons on January 10, 2005.

/s/ Ed Newville
Edward G. Newville

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